



BRADLEY COUNTY

LOCAL EMERGENCY PLANNING COMMITTEE

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BY-LAWS

ARTICLE I

AUTHORITY AND OBJECTIVES

- Section 1. The name of this organization shall be the Bradley County Local Emergency Planning Committee (LEPC) with principle offices located at Bradley County Emergency Management Agency, Cleveland, Tennessee.
- Section 2. These by-laws are adopted under the authority of the Superfund Amendments and Reauthorization Act of 1986 (SARA), Title III, Section 301 (c) dated October 17, 1986 (also known as Title 42 US Code, Chapter 116, Subchapter I, Section 11001 (c)).
- Section 3. The objectives and purposes of the Local Emergency Planning Committee are set forth in Title III, Section 301 (c) (Title 42 US Code, Chapter 116, Subchapter I, Section 11001 (c)) and those powers and duties delegated to it by the Tennessee Emergency Response Council in accordance with the above-mentioned enabling laws.
- Section 4. The Local Emergency Planning Committee shall prepare, publish and distribute a local emergency plan in accordance with the intent and provision of Title III, Section 303 (a) (Title 42 US Code, Chapter 116, Subchapter I, Section 11003 (a)).

ARTICLE II

MEMBERSHIP

- Section 1. The Local Emergency Planning Committee (referred to as "LEPC") should include, at a minimum, representatives from each of the following Bradley County-based or -related groups, organizations or individuals in accordance with Title III, Section 301 (c) (Title 42 US Code, Chapter 116, Subchapter I, Section 11001 (c)).

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|-----------------------------|-------------------------------------|
| (1) Elected State officials | (10) Transportation |
| (2) Elected local officials | (11) Broadcast media |
| (3) Law enforcement | (12) Print media |
| (4) Emergency Management | (13) Community groups |
| (5) Firefighting | (14) Owners/operators of facilities |
| (6) First aid | subject to the requirements of |
| (7) Health | Title III |
| (8) Local environmental | (15) Private citizens |
| (9) Hospital | (16) Public Utilities |

- Section 2. Individuals or organizations may hold unlimited successive terms of membership as desired by the member, provided such members are active as defined in Article II, Section 5.
- Section 3. Organizational members may designate an alternate, or alternates, to represent them at regular meetings. Such designees will have full voting rights on behalf of the regular member. Members representing only themselves are allowed one vote.
- Section 4. Prospective members may express their desire to join the LEPC from the floor of a regular meeting, or may be nominated for membership by a member in good standing. A voice vote to approve the new member will be taken.
- Section 5. All members or their designees are expected to attend regular meetings. Should a member or their designee not attend three (3) consecutive meetings, the executive committee shall have the right to terminate the membership of that individual or organizational member.

ARTICLE III

OFFICERS

- Section 1. This LEPC shall elect officers from within the membership of the Bradley County Local Emergency Planning Committee.
- Section 2. The Chairperson shall be nominated by the County Mayor and approved by the County Commission. The Chairperson shall be the supervising officer at all meetings and public hearings of the LEPC and have the powers normally conferred by parliamentary usage on his/her office. He/She shall have the power to appoint committees, call special meetings, and perform other duties as may be ordered by the LEPC. The Chairperson shall have the privilege of discussing all matters before the LEPC and to vote thereon. The Chairperson shall ensure all LEPC meetings are directed in accordance with parliamentary procedures.
- Section 3. In addition to the Chairperson, there will be an elected Executive Committee. The Executive Committee shall consist of the Chairperson, as many Vice-Chairpersons as deemed necessary, and a Secretary.
- These officers on the Executive Committee should include members from industry, and emergency response agencies. One of the Vice-Chairpersons shall supervise all meetings in the absence of the Chairperson and shall act for the Chairperson in the event the Chairperson is unable to act.
- Section 4. The Executive Committee shall meet on a regular basis to: develop agendas for upcoming LEPC meetings; discuss financial matters; plan for LEPC related events; determine the need, roles and/or results of various sub-committees; and other activities applicable to the business of the LEPC.
- Section 5. The Secretary shall participate in all regular and special meetings of the Executive Committee and LEPC. The Secretary shall keep the minutes of all meetings, maintain the records of the LEPC and have other duties and responsibilities as directed by the Executive Committee.

ARTICLE IV

ELECTION OF OFFICERS

- Section 1. Nomination of officers shall be made from the floor by members of the LEPC. Officers shall be elected at a bi-annual organizational meeting to be held in the 2nd quarter of the calendar year.
- Section 2. The nominee for each office receiving a majority vote of the membership present shall be declared elected and shall take office immediately following the election.
- Section 3. All officers shall be elected for a term of 2 years and shall be eligible to succeed themselves.

ARTICLE V

COMMITTEES

- Section 1. The Executive Committee shall appoint subcommittees for those purposes and terms as determined by the Executive Committee.
- Section 2. At least one subcommittee shall be formed in order to fulfill the statutory requirements of the LEPC.

ARTICLE VI

REGULAR MEETING

- Section 1. Meetings shall be held quarterly, or more often as needed. Meeting dates will be determined by the Executive Committee and published in advance to the LEPC.
- Section 2. All meetings and the records of such meetings shall be open to the general public as so required by Tennessee law. This LEPC may invite any public official, or any other individual whose attendance is deemed desirable to be present.
- Section 3. At all meetings, each member, or in the member's absence, his/her designee, shall be entitled to cast one vote. The affirmative vote of a simple majority of those present is necessary for an official action. In the event that any member shall have a direct or indirect personal interest in any business before the LEPC, this member shall disclose the interest and be disqualified from voting upon the business.
- Section 4. All statutorily required plans and reports of the LEPC must be approved by a simple majority of all voting members of the LEPC. A record of the vote shall be kept as a part of the minutes.
- Section 5. The order of business at the regular meeting shall be as follows:
- (a) Call to Order

- (b) Old Business
 - Review and approval of the previous meeting minutes
- (c) New Business (Include incident reviews)
- (d) Other Business
 - Review and approval of Vice-Chair reports
 - Review and approval of Sub-Committee reports
- (e) Adjournment

Section 6. The Secretary will prepare and maintain records of LEPC meetings and actions, and will receive and process requests for information from the public.

ARTICLE VII

SPECIAL MEETINGS

- Section 1. Special meetings, when necessary, may be called by the Chairperson or the Secretary. It shall be the duty of the Chairperson or Secretary to call such a meeting when requested to do so in writing by ten (10) members of the LEPC.
- Section 2. The notice of such a meeting shall specify the purpose of such a meeting and no other business may be considered except by consent of the LEPC. All members of the LEPC shall have reasonable notice, to be not less than forth-eight (48) hours prior to such special meeting.
- Section 3. Special meetings shall follow those procedures as specified in Article VI, Section 2 through Section 6 of this document.

ARTICLE VIII

PUBLIC HEARINGS

- Section 1. As required by federal law, the LEPC shall hold a public hearing, after proper notice, when discussing the emergency plan, public comments, response to such comments by the LEPC, and distribution of the emergency plan.
- Section 2. In addition to those required by law, the LEPC may, at its discretion, hold special public hearings when such hearings are deemed to be in the interest of the LEPC.
- Section 3. During a public hearing, interested parties may submit comments to any emergency plan verbally or in writing. Before adoption and distribution of the plan, the LEPC shall address such comments.
- Section 4. A public record shall be kept of those speaking before the LEPC at all public hearings and of those comments presented in writing.

ARTICLE IX

ADOPTION AND AMENDMENT

- Section 1. The by-laws herein shall be in full force and effect at the first non-organizational meeting and all subsequent meetings following the adoption of this document by a majority vote of the members of the current membership of the LEPC, or at such date as may be designated.
- Section 2. These by-laws may be amended or repealed at a regular meeting by a majority vote of the current membership of the LEPC. After the amendment or the repeal has been approved, it shall take effect at the next regular meeting. Each member shall receive a written copy of the proposed amendment and reasons for promulgation during the meeting in which the proposal is presented to the LEPC.

Revision and adoption date: April 2018